

Government of the District of Columbia

ZONING COMMISSION



ZONING COMMISSION ORDER NO. 408

Case No. 83-9C

August 15, 1983

The application in Case No. 83-9C is a request from the Masonic and Eastern Star Home of the District of Columbia for consolidated review and approval of a Planned Unit Development (PUD) and related amendment to the Zoning Map of the District of Columbia. The requested PUD and change of zoning from R-1-B to R-4 is for part of parcels 126/26 and 126/27 in Square 3719 at the northwest corner of the intersection of Peabody Street and New Hampshire Avenue, N.E. The PUD site is three acres in size.

The applicant proposes to construct a two-story lodge hall with a gross floor area of 8,892 square feet, off-street parking for fifty-five cars, a lot occupancy of 7.2 percent, and a floor area ratio of 0.07.

The lodge hall is to be used by the Order of the Eastern Star, an organization affiliated with the applicant. The Order of the Eastern Star has nineteen chapters in the District of Columbia, of which approximately ten will meet in the proposed lodge. The PUD site is a smaller portion of a larger site that is owned by the applicant but is not included in this application.

The PUD site is vacant, unimproved land with grass-cover, and is generally flat in terrain. That portion of the large site that is owned by the applicant and is not included in the application is improved in part with the Masonic and Eastern Star Home and Infirmary.

The existing R-1-B zoning on the site permits matter-of-right development of single-family residential uses for detached dwellings with a minimum lot area of 5000 square feet, a minimum lot width of fifty feet, a maximum lot occupancy of forty percent, and a maximum height of three-stories/forty feet. Lodge halls are not permitted.

The R-4 District permits matter-of-right development of residential uses including detached, semi-detached and row single-family dwellings, and flats, with a minimum lot area of 1800 square feet, a minimum lot width of eighteen feet, a

maximum lot occupancy of sixty percent, and a maximum height of three-stories/forty feet. Conversions of buildings to apartments are permitted for lots with a minimum lot area of 900 square feet per dwelling unit. Lodge halls are permitted, along with various other institutional uses.

On August 15, 1983 at its regular monthly meeting, the District of Columbia Zoning Commission considered the application to determine whether to authorize the scheduling of a public hearing.

The District of Columbia Office of Planning, by preliminary report dated August 5, 1983, recommended that a public hearing be set, having examined the application in light of the comprehensive planning aspects, the likely impact on the neighborhood and the specific design of building, parking and landscaping.

Advisory Neighborhood Commission - 4B submitted no comments.

The Lamond-Riggs Citizens Association (LRCA), by letters dated August 2 and 11, 1983, and the Single Member District Commissioner for Advisory Neighborhood Commission - 4B10 opposed the scheduling of a public hearing for reasons associated with adverse environmental and social impact on the neighborhood.

Upon review of the application, and the other material and recommendations cited above, the Commission believes that no public hearing should be set on the application for the following reasons:


1. The subject property is part of a much larger site. Access to and from the subject property, in part, crosses part of the larger site. The owners and occupants of the buildings on the larger site are affiliated with and related to the potential occupants of the proposed building. It appears that the subject property was carved out of the larger site, with boundaries artificially created, so as only to meet the minimum area requirements of Section 7501. This has the appearance of circumventing the intent and purpose of the Zoning Regulations.
2. The proposed Planned Unit Development is for a single building for a single use on a larger site. It does not meet the objectives of the Planned Unit Development process as set forth in Paragraph 7501.11. The application as before the Commission does not show "sound project planning, efficient and economical land utilization, attractive urban design and the provision of desired public spaces and other amenities." There is further no "diversification in the use, size, type, design and location of buildings."

3. The proposed Planned Unit Development is an attempt to circumvent the intent and purposes of the Zoning Regulations. The predominant zoning in the surrounding area is for single-family residential use. The lodge hall use under the R-4 zoning proposed is not in keeping with the uses now permitted, and would not be permissible without a change of zoning. A change to R-4 zoning is entirely out of character with the subject area.
4. The proposed use is totally at odds with the existing neighborhood. The population of the existing neighborhood is substantially composed of Black residents. The organization which will use the building has historically excluded Blacks from membership. A lodge hall whose membership is not and will not, in the foreseeable future, be drawn from the existing neighborhood and whose meetings will be held on a daily basis represents a commuter-like influx incompatible with the area and would not promote the general welfare of the District of Columbia. The Commission is mindful of its responsibility, pursuant to the Zoning Act, to promote the health, safety, morals, convenience, order, prosperity, or general welfare of the District of Columbia, of which the subject neighborhood is a part. The instant application would not be consistent with these goals.


The Commission believes that consideration of the application would not be consistent with the purposes of the Zoning Act by not furthering the general welfare and by leading to instability in the area. The Commission further believes that the application would not promote orderly development in conformity with the entirety of the District of Columbia zone plan, as embodied in the Zoning Regulations and Maps of the District of Columbia. The Commission's decision in this case best serves the overall interests of the District of Columbia.

Based on the foregoing reasons, the Zoning Commission therefore hereby orders that this application be DENIED without a public hearing.

Vote of the Commission at its public meeting on August 15, 1983: 5-0 (Walter B. Lewis, Maybelle T. Bennett, John G. Parsons, George M. White, and Lindsley Williams to deny without a hearing).



LINDSLEY WILLIAMS
Chairman
Zoning Commission



STEVEN E. SHER
Executive Director
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